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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,089	01/21/2004	Uwe Hett	0275M-632COB	4386

27572 7590 09/27/2005

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EXAMINER
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SHAW, CLIFFORD C

ART UNIT	PAPER NUMBER
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1725

DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/762,089	<b>Applicant(s)</b> HETT ET AL.	
	<b>Examiner</b> Clifford C. Shaw	<b>Art Unit</b> 1725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>0121</u> . | 6) <input type="checkbox"/> Other: ____.  |

**Detailed Action**

1.) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2.) Claims 1, 5, 6, 16-19, 25-29, and 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blankenship (5,208,436). Figures 3 and 4 and the discussion at columns 8-10 of the patent to Blankenship (5,208,436) disclose a system with features claimed, including: control device associated with elements 150 and 256; multiple modules associated with the plugs 32; non-volatile random access memory at 150. The claims differ from Blankenship (5,208,436) in calling for a joining system or welding system and in calling for the use of flash memory. These differences do not patentably distinguish over the prior art. At the time applicant's invention was made, it would have been obvious to have used the arrangement of Blankenship (5,208,436) in conjunction with a joining system or a welding system, the motivation being the teachings of Blankenship (5,208,436) at column 10, lines 15-25 that the system is useful with a TIG torch or stick electrode. In regard to the claims calling for flash memory, it would have been obvious to have used any well known type of memory technology in Blankenship (5,208,436), including flash memory, the motivation being to implement the broad idea of using non-volatile memory in Blankenship (5,208,436) with a particular known instantiation of that broad idea.

3.) Claims 2-4, 7-15, 20-24, 30, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raycher et al. (4,804,811, cited by applicant) taken with Blankenship (5,208,436) as applied above. The patent to Raycher et al. (4,804,811) discloses a joining system wherein multiple stud welding guns connected to elements 1-8 are connected to a central controller at 10. Each gun can run a separate program as discussed in column 19 of the patent. The claims differ in calling for various arrangements for recognizing characteristics of particular joining modules connected to the main unit. These differences do not patentably distinguish over the prior art. At the time applicant's invention was made, it would have been obvious to have used any well known approach to configure the programs at each of the welding stations in Raycher et al. (4,804,811) in lieu of the manual selection explicitly disclosed. In particular, it would have been obvious to have used the approach taught by Blankenship (5,208,436) wherein a particular joining unit is recognized by the main control unit to effect a suitably compatible configuration, thereby satisfying the claims.

4.) The patents to van Loon (4,503,310), Jordan (4,415,792), Ihde et al. (6,627,849), Blankenship et al. (6,552,303) and Lanouette et al. (6,563,085) are cited to show prior art welding control systems wherein a system control program is determined on the basis of the type of welding module connected to the controller.

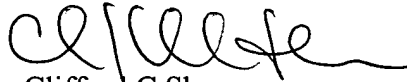
Any inquiry concerning this communication should be directed to Clifford C Shaw at telephone number 571-272-1182. The examiner can normally be reached on Monday through

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Friday of the first week of the pay period and on Tuesday through Friday of the second week of the pay period.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Thomas G. Dunn, can be reached at 571-272-1171. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Clifford C Shaw  
Primary Examiner  
Art Unit 1725

September 21, 2005